



Request for City Council Committee Action From the City Attorney's Office

Date:

January 17, 2003

To:

Referral to:

Ways & Means/Budget Committee

Subject:

2003 Work Plan for the City Attorney's Office

Recommendation:

That the Ways & Means/Budget Committee receive and file the City Attorney's

Office 2003 Work Plan.

Prepared by:

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Phone: 673-3272

Approved by:

Jay M. Heffern City Attorney

Presenter in Committee:

Jay M. Heffern, City Attorney

| Financial Impact (Check those that apply) |
|---|
| X No financial impact - or - Action is within current department budget |
| (If checked, go directly to Background/Supporting Information) |
| Action requires an appropriation increase to the Capital Budget |
| Action requires an appropriation increase to the Operating Budget |
| Action provides increased revenue for appropriation increase |

____ Action requires use of contingency or reserves

___ Other financial impact (Explain):

Request provided to the Budget Office when provided to the Committee Coordinator

Background/Supporting Information

Attached is the proposed 2003 Work Plan for the City Attorney's Office. It describes the Office's primary business, sets forth service activities for these businesses and establishes objectives for each service activity. On January 15, 2003, the Executive Committee reviewed the Work Plan.

CITY ATTORNEY'S OFFICE

2003 WORK PLAN

Mission Statement

The mission of the City Attorney's Office is to deliver high quality, cost-effective legal services that are responsive to the City's adopted policies, goals, and objectives; to assist the City in managing its financial exposure to claims brought against the City; and to promote public safety by aggressively prosecuting all gross misdemeanor, misdemeanor and petty misdemeanor crimes that occur in the City

Organizational Values

- Commitment to highest ethical standards
- Excellence as attorneys and legal services providers
- Problem solving orientation
- Productive work ethic and equitable and respectful work environment
- Collaborative interaction with City departments, other governmental entities, and the community
- Prudent stewards of the public's money

Primary Businesses

- Provide a broad range of high quality, cost-effective legal services to the City's elected officials, departments, and independent boards and commissions so that the City's policy objectives are achieved and the City's liability exposure is minimized
- Prosecute livability and other crimes that occur in the City so that crime is reduced and the residents' feeling of safety within our community is increased

SERVICE ACTIVITIES

A. Assist the City in managing its financial exposure to claims and lawsuits

Planned Completion Date

1. Minimize the City's liability by defending claims and lawsuits brought against the City

CITY GOALS

- Deliver consistently high quality city services at a good value to our taxpayers
- Strengthen city government management and enhance community engagement

OBJECTIVES

- Aggressively litigate claims and lawsuits against the City
- Contain total liability that result from the City's risk generating activities

Ongoing Ongoing

PERFORMANCE MEASUREMENTS

- Number of adverse matters open at year end
- · Number of adverse matters closed during the year
- Dollars spent because of City's risk generating activities

2. Minimize the City's liability by conducting training on key liability indicators

CITY GOALS

- Build communities where all people feel safe and trust the City's public safety professionals and systems
- Deliver consistently high quality city services at a good value to our taxpayers
- Strengthen city government management and enhance community engagement

OBJECTIVES

- Analyze those MPD events from prior years that gave rise to City liability
- Design a training curriculum to address the Minneapolis Police Department (MPD) response, including the use of force, to requests for service from businesses and individuals
- Train identified MPD sworn and civilian personnel at scheduled inservice classes and at precinct shift roll calls

End of 1st Quarter

End of 2nd Quarter

End of 4th Quarter

- Training plan and curriculum developed
- Training delivered to identified MPD personnel as scheduled

B. Provide high quality legal services to the City's elected officials, its departments and staff

1. Provide legal advice to elected officials and City departments

CITY GOALS

- Deliver consistently high quality city services at a good value to our taxpayers
- Strengthen city government management and enhance community engagement

OBJECTIVES

 Support the work of the City's elected officials and operating departments by providing high quality, cost effective written and oral advice

Ongoing

Provide ongoing attorney liaison services to City Council committees

Ongoing Ongoing

Support the City's procurement activities

PERFORMANCE MEASUREMENTS

- Number of requests received for advice, procurement support or other services
- Average number of requests for service per attorney
- 100% of all City Council committee meetings staffed
- Attorney assigned to support activities of the PRC

2. Assist the City in implementing its Community Planning and Economic Development redesign

CITY GOALS

- Deliver consistently high quality city services at a good value to our taxpayers
- Create an environment that maximizes economic development opportunities within Minneapolis by focusing on the City's physical and human assets
- Foster the development and preservation of a mix of quality housing types that is available, affordable, meets current needs, and promotes future growth
- Strengthen city government management and enhance community engagement

Planned Completion Date

OBJECTIVES

 Complete a comprehensive analysis of the present legal framework for planning and economic development including statutes, charter and ordinance provisions, and labor agreements, so that legal barriers to implementing the Focus Minneapolis Initiative, as adopted by the City Council, are identified

End of 1st Quarter

 Develop a legal strategy, including any necessary amendments to statutes, charter or ordinance provisions, or labor agreements, to address identified legal barriers

End of 1st Quarter

 Work with CPED and IGR to develop a legislative strategy which maximizes the opportunity for legislative approval of special legislation needed to implement the Focus Minneapolis Initiative

End of 1st Quarter

 In collaboration with CPED, conduct a needs assessment to identify the legal service needs of CPED upon commencement of its activities

End of 3rd Quarter

PERFORMANCE MEASUREMENTS

- Legal analysis completed
- IGR strategy developed
- CPED legal service needs assessment developed

3. Provide legal support to the Minneapolis Department of Civil Rights (MDCR) as it implements the Civilian Review Authority (CRA) redesign

CITY GOALS

- Build communities where all people feel safe and trust the City's public safety professionals and systems
- Deliver consistently high quality city services at a good value to our taxpayers
- Strengthen city government management and enhance community engagement

OBJECTIVES

- Identify legal barriers to the integration of CRA into MDCR
- Develop a strategy to address the identified barriers

End of 1st Quarter End of 1st Quarter

- Analysis of legal barriers to integration of CRA into MDCR completed
- Strategy for integrating CRA into MDCR completed

4. Help preserve the City's affordable housing stock

CITY GOALS

- Build communities where all people feel safe and trust the City's public safety professionals and systems
- Deliver consistently high quality city services at a good value to our taxpayers
- Foster the development and preservation of a mix of quality housing types that is available, affordable, meets current needs, and promotes future growth
- Strengthen city government management and enhance community engagement

OBJECTIVES

 Design a pilot project to utilize MCO, Chapter 249, to address nuisance property conditions and permit rehabilitation, instead of demolition, so that the City's affordable housing stock is increased

 Continue to aggressively bring tenant's remedies actions (TRAs), under Minn Stat, Chapter 504, to help maintain the supply of safe and affordable housing End of 3rd Quarter

Ongoing

PERFORMANCE MEANSUREMENTS

- Reduction in number of buildings demolished on MCO Chapter 249 list
- TRA actions filed in court increased over number filed in 2001

5. Assist in designing and implementing revisions to the City's ethics ordinance

CITY GOALS

- Deliver consistently high quality city services at a good value to our taxpayers
- Strengthen city government management and enhance community engagement

OBJECTIVES

- Draft proposed revisions to the City's Ethics Ordinance
- If the revisions are adopted:
 - Identify the roles and responsibilities of the Ethics Officer
 - Recommend a candidate to be the Ethics Officer
 - In collaboration with the Human Resources Department, design and implement a plan to train the elected officials and City employees on the requirements of the new ethics ordinance

End of 1st Quarter End of 2nd Quarter

- Revisions to Ethics Ordinance drafted
- Duties and responsibilities of the Ethics Officer developed
- Ethics Officer appointed
- · Training plan designed and implemented

C. Provide high quality legal services to the City's independent boards and commissions

1. Provide high quality legal services to City boards and commissions

CITY GOALS

- Deliver consistently high quality city services at a good value to our taxpayers
- Strengthen city government management and enhance community engagement

OBJECTIVES

 Support the work of independent boards and commissions by providing high quality, cost effective written and oral advice

Provide legal services for the construction of the new central library

Ongoing

Ongoing

PERFORMANCE MEASUREMENTS

- Number of requests received for advice or other services
- Average number of requests for service per attorney
- Attorney assigned to the new central library project

2. Provide high quality legal services in support of the MCDA and the NRP during the transition to CPED

CITY GOALS

- Deliver consistently high quality city services at a good value to our taxpavers
- Strengthen city government management and enhance community engagement

OBJ<u>ECTIVES</u>

 Review the legal services needs of the MCDA and NRP during the transition period

 Develop a plan to maintain high quality legal services to the MCDA and NRP End of 1st Quarter

End of 2nd Quarter

- · Legal services needs identified
- Plan developed to maintain legal services during CPED transition
- 3. Provide high quality legal services in support of the NRP after CPED is implemented

CITY GOALS

- Deliver consistently high quality city services at a good value to our taxpayers
- Strengthen city government management and enhance community engagement

OBJECTIVES

- Develop a legal services plan for NRP needs, post CPED
- Provide high quality legal services in support of NRP neighborhood development activities

End of 2nd Quarter End of 2nd Quarter

PERFORMANCE MEASUREMENT

- Legal services plan developed and implemented
- 4. Devise a system to bill the Minneapolis Public Library for legal services provided by the City Attorney's Office

CITY GOALS

- Deliver consistently high quality city services at a good value to our taxpayers
- Strengthen city government management and enhance community engagement

OBJECTIVES

| • | Analyze the services provided to the library since 1999 to determine the historical cost of providing those services | End of 1 st Quarter |
|---|---|--------------------------------|
| • | Develop a proposed fee schedule which accounts for the full cost of providing the services | End of 2 nd Quarter |
| • | Review the proposed service fee schedule with the City's Finance and Budget staff to receive comments and recommendations | End of 3 rd Quarter |
| • | Review the proposed fee schedule with the Library Board and Library staff | End of 3 rd Quarter |
| | Revise the fee schedule, if necessary | End of 4 th Quarter |
| • | Review the fee schedule with the City Council and, if directed, implement the fee schedule for CY2004 | End of 4 th Quarter |

Ongoing

Ongoing

PERFORMANCE MEASUREMENTS

- Costs of providing legal services to the Library Board analyzed
- Proposed fee schedule completed and reviewed with the Library Board and staff, and City Finance and Budget staff, and revised, if necessary
- Fee scheduled reviewed with the City Council and revised, if necessary
- If approved by the City Council, fee schedule implemented in CY2004
- D. Aggressively prosecute livability crimes that occur in the City of Minneapolis
 - 1. Aggressively prosecute chronic offenders who commit crimes under the City Attorney's Office jurisdiction

CITY GOAL

 Build communities where all people feel safe and trust the City's public safety professionals and systems

OBJECTIVES

Identify and prosecute all chronic offenders under the City Attorney's jurisdiction

Seek significant jail time or other appropriate sanctions for chronic

PERFORMANCE MEASUREMENTS

- Percentage of identified chronic offenders that were prosecuted by the City Attorney's Office
- Percentage of chronic offenders who did not reoffend
- 2. In collaboration with the MPD, aggressively prosecute misdemeanor and gross misdemeanor offenses committed by gang members identified by the Police Department

CITY GOALS

- Build communities where all people feel safe and trust the City's public safety professionals and systems
- Promote public, community and private partnerships to address disparities and to support strong, health families and communities

offenders

Planned Completion Date

<u>OBJECTIVES</u>

Modify the mission of the City Attorney's Office Special Prosecutions
Team to include prosecution of gang members identified by the MPD

End of 1st Quarter

 In collaboration with the MPD, aggressively prosecute misdemeanor and gross misdemeanor offenses committed by identified gang members

Ongoing

 Assist in providing community impact statements to those judges hearing cases involving identified gang members

Ongoing

PERFORMANCE MEASUREMENTS

- Modified mission of the Special Prosecutions Team includes gang members identified by the MPD as the Team's "top offenders"
- In appropriate cases, prosecuted gang members identified by the MPD
- Promoted community impact statements to judges hearing cases involving identified gang members

3. Aggressively prosecute offenders of domestic violence crimes

CITY GOALS

- Build communities where all people feel safe and trust the City's public safety professionals and systems
- Promote public, community and private partnerships to address disparities and to support strong, health families and communities

OBJECTIVES

 If grant funding is available, provide a prosecutor to the MPD to work with the Family Violence Unit (FVU) investigators to support enhanced and effective evidence-based prosecution of domestic assault cases

End of 1st Quarter

 Draft and execute an agreement among the Hennepin County Attorney's Office, the MPD, and the City Attorney's Office specifying the respective roles and responsibilities regarding charging of domestic abuse cases as felonies

End of 1st Quarter

 In collaboration with the MPD, enhance prosecution of domestic violence crimes by evaluating, prioritizing and investigating high-risk misdemeanor and gross misdemeanor domestic assault cases

Ongoing

Following evaluation and investigation, charge appropriate domestic assault cases as felonies

Ongoing

- Grant funding identified and prosecutor assigned to work with MPD FVU
- If grant funding received, drafted and executed agreement among Hennepin County Attorney's Office, the MPD, and the City Attorney's Office
- High-risk misdemeanor and gross misdemeanor domestic assault cases evaluated, prioritized and referred to investigation by CAO prosecutor
- Number of domestic assault cases charged as felonies
- 4. Prosecute misdemeanor and gross misdemeanor traffic offenses that occur in the City

CITY GOAL

Build communities where all people feel safe and trust the City's public safety professionals and systems

OBJECTIVE

 Support the Minneapolis Police Department's effort to enhance enforcement of traffic laws by aggressively prosecuting the increased caseload resulting from the traffic unit's increased enforcement

Ongoing

PERFORMANCE MEASUREMENT

- Prosecute additional traffic cases resulting from the MPD traffic unit's increased traffic enforcement
- 5. Develop a training plan for the MPD on identified neighborhood livability issues to enhance prosecution of livability offenses

CITY GOALS

- Build communities where all people feel safe and trust the City's public safety professionals and systems
- Promote public, community and private partnerships to address disparities and to support strong, health families and communities

Planned Completion Date

OBJECTIVES

 In collaboration with the MPD, develop a training curriculum to address neighborhood livability issues End of 2nd Quarter

 In collaboration with the MPD, deliver training to identified MPD sworn and civilian personnel End of 3rd Quarter

 Publish a City Attorney's Office "Legal Alert" newsletter and distribute to the MPD to inform them of recent developments in criminal law End of 1st Quarter

PERFORMANCE MEASUREMENTS

- · Training plan and curriculum developed
- Training delivered to identified MPD personnel as scheduled
- "Legal Alert" published and distributed to MPD quarterly
- E. Continue the City Attorney's Office proactive involvement in improving the criminal justice system
 - 1. Actively participate in improving the City's, County's and State's criminal information systems

CITY GOAL

 Build communities where all people feel safe and trust the City's public safety professionals and systems

OBJECTIVES

 In collaboration with the City's ITS Department, design a fullyfunctional prosecution case management system for CAO End of 1st Quarter

 In collaboration with the City's IGR staff, support the City's proposed "technology surcharge" legislation as a means of partially funding the CAO prosecution case management system End of 1st Quarter

 In collaboration with City's ITS department, collaborate with Hennepin County to develop a plan for integration of the City Attorney's Office criminal justice information into the Minnesota Criminal Justice Information System (MNCIS) End of 4th Quarter

- Plan for a CAO prosecution case management system completed
- All necessary support to City's "technology surcharge" legislative initiative provided
- Plan for CAO criminal justice information integrated into MNCIS system completed

2. Analyze the feasibility of modifications to the current criminal justice system, such as Night Court or Next Day Court

CITY GOALS

- Build communities where all people feel safe and trust the City's public safety professionals and systems
- Promote public, community and private partnerships to address disparities and to support strong, health families and communities

OBJECTIVES

 In collaboration with the MPD, Hennepin County District Court, and other members of the criminal justice system, review models that exist in other jurisdictions to evaluate the feasibility of modifications to the current criminal justice system in Hennepin County so that livability offenses that occur in the City are prosecuted more effectively and efficiently

End of 1st Quarter

Propose models for night court and next day court to CJCC

End of 2nd Quarter

PERFORMANCE MEASUREMENTS

- Analysis of other criminal justice system models completed
- Modifications to the current criminal justice system proposed

3. Collaborate with the Hennepin County District Court to establish a mental health court

CITY GOALS

- Build communities where all people feel safe and trust the City's public safety professionals and systems
- Promote public, community and private partnerships to address disparities and to support strong, health families and communities

OBJECTIVES

 Participate in the Hennepin County District Court's mental health court planning process to ensure that the process includes a strong focus on the role of mental health issues in livability crimes

End of 2nd Quarter

 Collaborate with Hennepin County in the application process should the County apply for funding to establish a mental health court

Ongoing

 In collaboration with Hennepin County, establish a mental health court that addresses livability crimes committed by defendants with mental health issues

End of 4th Quarter

- Participated in planning a mental health court in Hennepin County that addresses livability crimes
- If funding is obtained, actively work with the Hennepin County District Court to establish a mental health court established

F. Actively collaborate with neighborhoods on community justice

1. Complete the community attorney pilot project in the Fourth Precinct

CITY GOALS

- Build communities where all people feel safe and trust the City's public safety professionals and systems
- Promote public, community and private partnerships to address disparities and to support strong, health families and communities
- Strengthen city government management and enhance community engagement

OBJECTIVES

| | | , , , , , , , , , , , , , , , , , , , |
|---|--|---------------------------------------|
| • | Work with the Minneapolis Police Department's 4 th Precinct to identify chronic and high priority offenders in the precinct. | Ongoing |
| • | Ensure that those chronic and high priority offenders are priorities for the City Attorney's Office Special Prosecution Team | Ongoing |
| • | Train 4 th Precinct personnel on good police report writing and provide timely feedback on police reports which are excellent or deficient. | Ongoing |
| • | Establish communication links with neighborhoods and community organizations in 4 th Precinct. | Ongoing |
| • | Coordinate with the African American Man Project, African American Family Services and with Hennepin County Community Corrections to determine the extent to which appropriate treatment and/or diversion programs are available to address the specific needs | Ongoing |
| • | Collaborate with the St. Phillips initiative to increase community engagement in the prosecution of livability crimes | Ongoing |
| • | Evaluate effectiveness of 4 th Precinct community pilot project | End of 4 th Quarter |

- Chronic offenders in 4th Precinct identified and prosecuted
- MPD personnel trained on good report writing
- Communications between the community and City Attorney's Office improved
- Active engagement in the African-American Man Project
- Effectiveness of pilot project evaluated

2. Expand the community attorney pilot project to the Third Precinct

CITY GOALS

- Build communities where all people feel safe and trust the City's public safety professionals and systems
- Promote public, community and private partnerships to address disparities and to support strong, health families and communities
- Strengthen city government management and enhance community engagement

OBJECTIVES

Assign a "community attorney" to the 3rd Precinct who will provide End of 1st Quarter direct interaction with police and community members in the 3rd Precinct to better serve the needs of the community. Work with the Minneapolis Police Department's 3rd Precinct to identify Ongoing

chronic and high priority offenders in the precinct.

Ongoing

Ensure that those chronic and high priority offenders are priorities for the City Attorney's Office Special Prosecution Team.

Ongoing

Train 3rd Precinct personnel on good police report writing and provide timely feedback on police reports which are excellent or deficient.

Establish communication links with neighborhoods and community organizations in 3rd Precinct.

Ongoing

PERFORMANCE MEASUREMENTS

- Chronic offenders in 3rd Precinct identified and prosecuted
- MPD personnel trained on good report writing
- Communications between the community and City Attorney's Office improved

3. Collaborate with the City's neighborhood restorative justice programs so that concerns about livability are addressed

CITY GOALS

- Build communities where all people feel safe and trust the City's public safety professionals and systems
- Promote public, community and private partnerships to address disparities and to support strong, health families and communities
- Strengthen city government management and enhance community engagement

Planned Completion Date

OBJECTIVES

Collaborate with the restorative justice programs and make appropriate adjustments to the case referral processes and eligibility guidelines

End of 1st Quarter

Review eligible cases and refer appropriate cases to communitybased restorative justice programs

Ongoina

Provide support to restorative justice programs in their efforts to expand the geographic boundaries of their programs

Ongoing

Increase the number of cases referred by the City Attorney's Office to the restorative justice programs

End of 4th Quarter

PERFORMANCE MEASUREMENTS

- Reviewed and referred appropriate cases to restorative justice programs
- · Case referral processes and eligibility guidelines adjusted, and other issues addressed, as necessary
- · Supported restorative justice programs' efforts to expand
- · Increased the number of cases referred to restorative justice programs by 10%
- 4. Through the CAO Community Prosecution Planning Grant, enhance the existing community restorative justice process to address the multiple challenges of chemical dependency, mental illness and homelessness

CITY GOALS

- Build communities where all people feel safe and trust the City's public safety professionals and systems
- Promote public, community and private partnerships to address disparities and to support strong, health families and communities
- Strengthen city government management and enhance community engagement

OBJECTIVES

Establish a core planning group consisting of CAO staff, neighborhood-based restorative justice program representatives, law enforcement personnel, social service providers, and business community representatives

End of 1st Quarter

Hire part-time coordinator to work with the core planning group to identify best methods of addressing underlying conditions contributing to offenders re-offending in the community

End of 1st Quarter

Through the coordinator and core planning group, engage community residents in identifying and prioritizing local problems to be addressed

End of 3rd Quarter

Prepare final report and recommendations for implementation

End of 3rd Quarter End of 4th Quarter

Apply for community prosecution implementation grant

- Core community prosecution planning grant group established
- Community prosecution planning grant coordinator hired
- Identified and prioritized community issues and problems to be addressed
- Final report and recommendations prepared
- Applied for community prosecution implementation grant

G. Enhance the effectiveness and efficiency of the City Attorney's Office

CITY GOAL

Strengthen city government management and enhance community engagement

<u>OBJECTIVES</u>

- Complete workforce planning for the City Attorney's Office
- Draft preliminary 5 year business plan for the City Attorney's Office based upon the City's adopted goals and financial policy direction
- Propose 2004 City Attorney's Office budget that is aligned with City's adopted goals and financial policy direction

End of 1st Quarter End of 2nd Quarter

End of 2nd Quarter

- Workforce planning completed
- Preliminary 5 year business plan completed
- 2004 budget proposal that is consistent with City's adopted goals and financial policy direction submitted